

*11/11/08*

Kevin J. Walsh (KW 6083)  
Casey B. Howard (CH 4633)  
LOCKE LORD BISSELL & LIDDELL LLP  
885 Third Avenue, 26th Floor  
New York, New York 10022  
(212) 947-4700 (Telephone)  
(212) 947-1202 (Fax)

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NATIONAL BIOFUELS LP

Plaintiff,

- against -

ENAGRA, INC., MICHAEL V. PETRAS AND  
ROBERT JAGUNICH

Defendants.

08 CV 2858 (VM)  
ECF CASE

**PLAINTIFF  
NATIONAL BIOFUELS  
LP'S NOTICE OF  
VOLUNTARY  
DISMISSAL WITH  
PREJUDICE**

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff NATIONAL BIOFUELS LP hereby voluntarily dismisses this action against all Defendants, with prejudice.

None of the Defendants have served an answer or otherwise responded to Plaintiff's Complaint, therefore Plaintiff's claims against Defendants will be dismissed without order of this Court upon the filing of this notice of dismissal.

Dated: New York, New York  
July 10, 2008

Respectfully submitted,  
LOCKE LORD BISSELL & LIDDELL LLP

By: *Kevin J. Walsh*

Kevin J. Walsh (KW 6083)  
Casey B. Howard (CH 4633)  
885 Third Avenue, 26th Floor  
New York, New York 11105  
212.812.8304  
Fax: 212.812.8364  
Attorneys for Plaintiff  
National Biofuels LP

OF COUNSEL:  
Kenneth E. McKay  
LOCKE LORD BISSELL & LIDDELL LLP  
600 Travis, Suite 3400  
Houston, Texas 77002-3095  
713.226.1127  
Fax: 713.223.3717

**SO ORDERED:**

*7-11-08*  
DATE

*[Signature]*  
VICTOR MARRERO, U.S.D.J.

*[Signature]*  
U.S.D.J.